

### REMARKS/ARGUMENTS

In view of the foregoing amendments and the following remarks, the applicant respectfully submits that the pending claims are not rendered obvious under 35 U.S.C. § 103. Accordingly, it is believed that this application is in condition for allowance. **If, however, the Examiner believes that there are any unresolved issues, or believes that some or all of the claims are not in condition for allowance, the applicant respectfully requests that the Examiner contact the undersigned to schedule a telephone Examiner Interview before any further actions on the merits.**

The applicant will now address each of the issues raised in the outstanding Office Action.

#### Rejections under 35 U.S.C. § 103

Claims 1-5, 10 and 14 stand under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,222,593 ("the Higurashi patent") in view of U.S. Patent No. 5,136,390 ("the Inova patent"). Since these claims have been canceled (without prejudice to, or disclaimer of, the subject matter recited therein) this ground of rejection is now moot.

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Higurashi in view of Inova as applied to claim 1 above, and further view of U.S. Patent No. 6,590,621 ("the Creek patent"). Since this claim has been canceled (without prejudice to, or disclaimer of,

the subject matter recited therein) this ground of rejection is now moot.

### **Objections**


Claims 7-9 and 11-13 are objected to as being dependent upon a rejected based claim, but would be allowable if rewritten in independent form to include all of the elements of the base claim and any intervening claims. Each of claims 7-9 have been rewritten in independent form to include the recitations of canceled base claim 1. There were no intervening claims. Similarly, each of claims 11-13 have been rewritten in independent form to include the recitations of canceled base claim 10. There were no intervening claims. Accordingly, each of claims 7-9 and 11-13 are now in condition for allowance.

### **Conclusion**

In view of the foregoing amendments and remarks, the applicant respectfully submits that the pending claims are in condition for allowance. Accordingly, the applicant requests that the Examiner pass this application to issue.


Respectfully submitted,

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CERTIFICATE OF MAILING under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited on **April 23, 2004** with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
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